

# JUVENILE JUSTICE OVERSIGHT COUNCIL

**March 16, 2015**

Capitol Building, Room 327

**Members Present:** Senator Whitney Westerfield; Secretary J. Michael Brown, Justice & Public Safety Cabinet (JPSC); Commissioner Mary Begley, Department for Behavioral Health, Developmental and Intellectual Disabilities, Cabinet for Health and Family Services (CHFS); Deputy Commissioner Adria Johnson, designee for Commissioner Teresa James, Department for Community Based Services, CHFS; Commissioner Bob Hayter, Department for Juvenile Justice (DJJ), JPSC; David Wickersham, designee for Commissioner Terry Holliday, Department of Education; Laurie Dudgeon, Director, Administrative Office of the Courts (AOC); Damon Preston, designee for Ed Monahan, Department of Public Advocacy (DPA); Paula Stafford, Rowan County Schools; Honorable Lisa Jones, Chief District Judge; Lieutenant Shara Parks, Louisville Metro Police Department; Steven Gold, Henderson County Attorney; and Dr. John Sivley, Clinical Director, LifeSkills, Inc.

**Members Absent:** Representative John Tilley

**Staff Present:** Yvonne Board

## **I. Welcome/Call to Order and Approval of Minutes**

The meeting was called to order by Senator Westerfield. A motion was made and seconded to approve the minutes as submitted.

## **II. Presentation by Pamela Lachman, Crime and Justice Institute**

Senator Westerfield introduced Pamela Lachman from the Crime and Justice Institute (CJI). Ms. Lachman introduced her colleague, Ryan Thornell, who has provided technical assistance in implementing SB 200. Ms. Lachman spoke regarding data needed to track whether or not specific policies in the legislation are being implemented and producing the intended outcomes. She noted that data relating to recidivism is an important issue and will be needed to validate new policies implemented.

Mr. Thornell gave an overview of the draft template for tracking performance measures. He noted that it has both system level and policy level indicators as well as the data that would need to be collected to evaluate particular areas. He noted that the red texts on the draft are data elements that are not necessarily being captured at this time or are in development. Ms. Lachman commented on the court monitored youth portion of the tracking template. She noted there is currently no clear mechanism for tracking what is happening with those cases. She noted that AOC is working on that issue. Mr. Thornell commented on particular policy areas where data is not currently being collected such as school based incidents, noncriminal misconduct. Mr. Thornell noted that the ultimate result is to make decisions that are data driven.

Senator Westerfield asked for clarity on the meaning of the red text on the template. Mr. Thornell responded that the red text represents what is not currently being collected. Senator Westerfield inquired if any of those would be problematic for being captured by this summer. Ms. Lachman stated that the likelihood of those being ready in the next couple of months is feasible. She also noted there is a massive restructuring of the data system occurring for DJJ. Ms. Lachman also commented that the issue is that there will not be a baseline. She noted that for some areas you can retroactively create a baseline, but for some areas the data does not exist. Mr. Thornell commented that in place of a baseline, you could set a benchmark where appropriate.

Ms. Lachman inquired about establishing baselines and whether that should be done on a calendar year versus fiscal year basis. Mr. Wickersham noted that perhaps it should go back more than one year to capture trends. Ms. Lachman stated that in terms of specific policies the data only exists up to two or three years. She suggested getting data for a couple of years for some of the broad trends and have a one year baseline for some of the specifics. Mr. Wickersham suggested using an industry average where there is no baseline as well as including some additional performance measures not listed.

### **III. Updates**

#### **A. Department of Juvenile Justice**

Commissioner Hayter gave an update on DJJ's noting that they have completed training on all community staff assessments, sanctions and incentives, and family engagement case planning. He noted the next task is domestic violence training for all staff, continuing evidence based training for all front line staff to include motivational interviewing and the seven challenges, He stated that they have modified the risk and criminogenic needs assessment based on pilot data as well as the case management needs assessment. They have also finalized revisions on the classification manual and finalized the Memorandum of Understanding for the pilot program between Seven Counties and Westport Group Home. He stated they are working with a collaborative group to develop training geared toward education of statewide school personnel on SB 200. He noted they are also working with IT to create a data capturing system.

#### **B. Department of Education**

Mr. Wickersham stated that the Department of Education has formally launched their SB 200 webpage. He noted that sixty percent of school districts will not have access to FAIR team participation. He commented on the high number of children with unexcused absences and the need to address truancy issues as well as the lack of possible funding to do so coming from fines that are not being assessed against parents in unlawful transaction cases. Ms. Dudgeon stated that AOC has some ideas on how to fix the issue of FAIR team participation for additional districts. Mr. Wickersham also expressed concern regarding whether AOC or the Department of Education would be responsible for tracking data on referrals filed by school districts. Senator Westerfield stated that he wanted that assigned wherever it is easier to collect the data.

### **C. Administrative Office of the Courts**

Ms. Dudgeon reported that AOC has approximately sixteen weeks left to establish FAIR teams in the remaining forty-five judicial districts. She noted they are hearing cases actively in nine jurisdictions. She stated that of those cases, there have been sixty-seven new cases, twelve have been referred to court, and two cases were dismissed. She stated that fifty-five children are still receiving services thru case management on a local level. She also commented that regardless of how established the fair teams are, AOC will still be taking referrals to court designated workers and will still be doing the regular diversion. She also noted AOC is developing an internal website for FAIR team members.

### **D. Department of Behavioral Health, Developmental and Intellectual Disabilities, CHFS**

Commissioner Begley stated her department is working to modernize the state interagency council for children as well as the regional and local councils. She noted they have created five standing committees: system structure and governance, finance and resources, training and technical assistance, service array and continuing quality improvement. She stated they are also increasing the provider adoption of evidence based practice, trying to get more providers to adopt that and working with them to see if they are using evidence based practices as they should. She noted they are expanding the school based mental health and substance use screening and are hopeful that they will have more students recognized earlier on in the process and can get them treatment prior to truancy and other issues. She commented that they are also looking at the possibility of summer training for teachers helping them to identify issues relating to behavioral health. Senator Westerfield inquired about the expansion of local interagency councils. Commissioner Begley responded that issue is looked at on a regular basis and stated that she would provide a map at the next meeting that shows the location of the councils. Ms. Dudgeon inquired that if there are more LIAC's established, is it anticipated that they will participate more in the FAIR Teams. Commissioner Begley stated that would be a natural thing to happen. Senator Westerfield asked if AOC was seeing some reluctance. Ms. Dudgeon commented that having the map might assist in determining where there are issues with participation. Commissioner Begley stated that funding could be an issue. She noted that she will email the map to council members.

### **E. Department for Community Based Services, CHFS**

Deputy Commissioner Johnson reported that there is overwhelming positive feedback from regions on FAIR teams. She commented that three regions reported that there are some challenges including differences in the CDW's opinion that cases should be treated as dependency, neglect or abuse versus DCBS employees view that are status offense. She noted they do believe with more meetings there will be a better understanding of the roles of each group. She stated that one region reported they are struggling in one county to get participation from RIAC members other than the RIAC chair. Senator Westerfield inquired if it is a cost issue. Deputy Commissioner Johnson was unsure if cost was the issue in that region. Senator Westerfield stated that he would like to have a resolution to the lack of participation by determining if cost is an issue and addressing what can be done to resolve it.

#### **IV. Adjourn**

Senator Westerfield noted the council also needs to address other issues: age of criminal responsibility, competency, and open hearings. Damon Preston noted that legislation has been filed previously regarding open hearings. It was also noted that there was some work previously done by the council prior to PEW's involvement regarding the age of criminal responsibility. Senator Westerfield asked Mr. Trebelhorn to distribute any notes regarding any of those three issues to the council members for review prior to the next meeting.

The next meeting will be held on Monday, April 13<sup>th</sup> at 10AM. With no further business to discuss, the meeting was adjourned.